

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JOHN MELENDEZ, et al.,

Plaintiffs,

v.

DIAZ, et al.,

Defendants.

CASE NO. 1:20-CV-01393-ADA-CDB

ORDER GRANTING DEFENDANTS'  
APPLICATION TO SEAL DOCUMENTS AND  
SUPPORTING MATERIALS FOR IN CAMERA  
INSPECTION

(Doc. 64)

Pending before the Court is Defendants' "Notice of Request to File Documents Under Seal for *In Camera* Inspection," filed June 16, 2023 (Doc. 64), in which Defendants request the Court seal certain documents and a declaration relating to Plaintiffs' pending motion to compel (Doc. 61). The Court also received via email on June 16, 2023, the documents Defendants seek to seal for the Court's *in camera* inspection, a "Request to Seal Documents," and "Declaration of Juliet Lompa" in support of the application to seal which, as referenced in Defendants' notice (Doc. 64), have not been provided to Plaintiffs. According to Defendants' declaration, Plaintiffs do not oppose the request to file the referenced documents under seal for *in camera* inspection only.<sup>1</sup>

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<sup>1</sup> Plaintiffs non-opposition is subject to the following conditions: "Without waiver of any argument as to the fact that the documents must be produced under the Federal Rules and without any admission that the grounds asserted by the Defendants for withholding the documents are meritorious, I acknowledge that the privilege log describes the documents at issue (to the extent that Plaintiffs know the entirety of the universe of documents at issue) in a matter that is sufficiently accurate to comply with the rules."

1 The Court has reviewed the Defendants' submissions, including the documents proposed for  
2 sealing, and considered the factors set forth in *Oregonian Publ'g Co. v. U.S. Dist. Court for Dist. of Or.*,  
3 920 F.2d 1462 (9th Cir. 1990). The Court finds that, for the reasons stated in Defendants' Request to  
4 Seal Documents and the declaration by R. Villalba (Doc. 63-1), sealing documents Bates OAG 0357-  
5 0860 serves a compelling interest. The Court further finds that, in the absence of closure, the  
6 compelling interests identified by the Defendants would be harmed. In light of the public filing of  
7 Defendants' unopposed request to seal and related declaration (Docs. 63-1, 64), the Court further finds  
8 that there are no additional alternatives to sealing the unredacted documents that would adequately  
9 protect the compelling interests identified by Defendants.

10 ACCORDINGLY, pursuant to Local Rule 141(b) and based upon the representations and  
11 accompanying declarations submitted in support of Defendants' request, IT IS HEREBY ORDERED  
12 that documents Bates OAG 0357-0860 and Defendants' Request to Seal Documents shall be SEALED  
13 until further order of this Court.

14 No later than June 23, 2023, the Defendants SHALL submit documents Bates OAG 0357-0860,  
15 along with Defendants' "Request to Seal Documents" and "Declaration of Juliet Lompa" (both  
16 previously submitted via email to the undersigned's chambers on June 16, 2023) for sealing by email to  
17 [ApprovedSealed@caed.uscourts.gov](mailto:ApprovedSealed@caed.uscourts.gov).

18 IT IS SO ORDERED.

19 Dated: June 20, 2023

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UNITED STATES MAGISTRATE JUDGE